



PATENT  
Docket No. GZ 2103.00  
GZ Ref. 5036US

**CERTIFICATE OF MAILING**

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on this date listed below.

Dated: March 14, 2003

Peggy Nichols  
Peggy Nichols

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application for:

Charles A. NICOLETTE

Serial No.: 09/922,405

Filing Date: August 3, 2001

For: THERAPEUTIC ANTI-MELANOMA  
COMPOUNDS

Examiner: Not Yet Assigned

Group Art Unit: 1642

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TECH CENTER 1600/2800

Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. § 1.56, the reference listed on the attached form PTO-1449A is being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make this document of record.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.

- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [ ] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

## II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: \_\_\_\_\_.
- ☐ Copies of the items listed in the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. 09/922,405 filed August 3, 2001 and relied upon in this

application for an earlier filing date under 35 U.S.C § 120.  
See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (\*\*) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

### **III. Concise Explanation of Relevance:**

- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

### **IV. Related Applications:**

- ☐ Applicants bring to the Office's attention the following related, co-pending application(s):

### **V. Conclusion:**

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 19442-7231 or any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,

Dated: March 11, 2003

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